

U.S. Department of Justice

United States Attorney Eastern District of New York

DMB:SA

271 Cadman Plaza East Brooklyn, New York 11201

June 1, 2011

BY ECF and HAND

The Honorable John Gleeson United States District Judge Eastern District of New York 225 Cadman Plaza East Brooklyn, NY 11201

Re: United States v. Betim Kaziu Criminal No. 09-660 (S-1)(JG)

Dear Judge Gleeson:

Pursuant to the Court's order of May 9, 2011, a deposition of Suhejb Mazllami was conducted at the Prizren District Court in Kosovo on Monday, May 23, 2011. The Government hereby provides the Court and the defendant notice that it may seek to offer part of Mr. Mazllami's testimony at trial, in its case-in-chief or in any rebuttal case should the defendant seek to call witnesses or otherwise offer Rule 15 deposition testimony at trial. See Fed. R. Crim. P. 15(f) ("A party may use all or part of a deposition as provided by the Federal Rules of Evidence."). During testimony in the Prizren District Court, Mr. Mazllami confirmed, among other things, the following facts: (1) that the defendant and Mr. Mazllami watched al-Qaeda propaganda videos on the defendant's computer in Kosovo, (2) that the defendant "maybe" told Mr. Mazllami that he wanted to join al-Qaeda, and (3) that the defendant told Mr. Mazllami that he wanted to die a martyr for the cause of Islam.

Respectfully submitted,

LORETTA E. LYNCH United States Attorney

By: /S/

Shreve Ariail Seth D. DuCharme

Ali Kazemi

Assistant U.S. Attorneys

cc: Clerk of Court (by ECF)

Counsel to the Defendant (By ECF and EMAIL)